

PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of New Richmond Municipal Electric Utility, St. Croix County, Wisconsin, for Tariff Changes to Implement a Community Solar Garden Pilot Program 4139-TE-102

Application of River Falls Municipal Utility, Pierce and St. Croix Counties, Wisconsin, for Tariff Changes to Implement a Community Solar Garden Pilot Program 5110-TE-102

SUPPLEMENTAL ORDER**Introduction**

On August 21, 2015, the Commission issued a Final Decision in dockets 4139-TE-102 and 5110-TE-102 conditionally approving the creation of Community Solar Garden programs and associated tariffs. ([PSC REF#: 273770](#) and [273771](#), respectively.) As part of that Final Decision, the Commission ordered New Richmond Municipal Electric Utility (NRMEU) and River Falls Municipal Utility (RFMU) to file revised program descriptions and associated tariffs consistent with the Commission's ruling. On September 11, 2015, both utilities filed updated program descriptions and tariffs consistent with the Commission's Final Decision. ([PSC REF#: 275081](#) and [275083](#), respectively.)

The revised program descriptions and tariffs are APPROVED, as conditioned by this Supplemental Order.

Opinion

The Commission ordered the utilities to calculate the credits to subscribing customers using actual avoided costs, subject to periodic review and adjustment. In the revised tariffs, the credits will be offered on a levelized 5-year basis with review as part of an electric rate case or

every 5 years, whichever is sooner. This approach combines the benefit of providing certainty to subscribers on their credit amount in the short term with assurances that subscribers will be fully compensated for their investment in the solar garden. In the event that an adjustment is made to the credit amount outside of an electric rate case, and that adjustment results in an increased credit, the utility may request deferral treatment of the credit difference until the utility's next rate case.

The Commission also ordered the utilities to have separate credits available for customers who would like to have the renewable energy credits (REC) retired on their behalf and customers who prefer to allow WPPI Energy to retain the RECs. The credit rate for a participating customer that has the REC retired on their behalf is \$0.076/kilowatt-hour (kWh) and the credit rate for a customer allowing WPPI Energy to retain the RECs is \$0.078/kWh. The updated program descriptions state that the utilities will have access to the information from WPPI needed to review, and if necessary, adjust the credit periodically, as required by the Commission's Final Decision.

Finally, the utilities proposed clarifying language to the subscription limits. Residential customers will be limited to subscriptions of no more than 10 kilowatts (kW). All other rate classes will be limited to subscriptions less than or equal to the average annual consumption for that customer or 75 kW, whichever is lesser. The Commission finds these changes reasonable as they will make it easier for the utilities to fully subscribe the solar gardens while allowing sufficient customer diversity.

Order

1. NRMEU and RFMU's Community Solar Garden programs and associated tariffs are approved.
2. All reporting requirements in the original Final Decision remain in effect.
3. Jurisdiction is retained.

Dated at Madison, Wisconsin, September 24, 2015.

For the Commission:

A handwritten signature in black ink, appearing to read 'Jeffrey J. Ripp', with a stylized flourish at the end.

Jeffrey J. Ripp
Administrator
Division of Energy Regulation

JJR:RSS:jlt:DL: 01265916

See attached Notice of Rights

PUBLIC SERVICE COMMISSION OF WISCONSIN
610 North Whitney Way
P.O. Box 7854
Madison, Wisconsin 53707-7854

**NOTICE OF RIGHTS FOR REHEARING OR JUDICIAL REVIEW, THE
TIMES ALLOWED FOR EACH, AND THE IDENTIFICATION OF THE
PARTY TO BE NAMED AS RESPONDENT**

The following notice is served on you as part of the Commission's written decision. This general notice is for the purpose of ensuring compliance with Wis. Stat. § 227.48(2), and does not constitute a conclusion or admission that any particular party or person is necessarily aggrieved or that any particular decision or order is final or judicially reviewable.

PETITION FOR REHEARING

If this decision is an order following a contested case proceeding as defined in Wis. Stat. § 227.01(3), a person aggrieved by the decision has a right to petition the Commission for rehearing within 20 days of the date of service of this decision, as provided in Wis. Stat. § 227.49. The date of service is shown on the first page. If there is no date on the first page, the date of service is shown immediately above the signature line. The petition for rehearing must be filed with the Public Service Commission of Wisconsin and served on the parties. An appeal of this decision may also be taken directly to circuit court through the filing of a petition for judicial review. It is not necessary to first petition for rehearing.

PETITION FOR JUDICIAL REVIEW

A person aggrieved by this decision has a right to petition for judicial review as provided in Wis. Stat. § 227.53. In a contested case, the petition must be filed in circuit court and served upon the Public Service Commission of Wisconsin within 30 days of the date of service of this decision if there has been no petition for rehearing. If a timely petition for rehearing has been filed, the petition for judicial review must be filed within 30 days of the date of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition of the petition for rehearing by operation of law pursuant to Wis. Stat. § 227.49(5), whichever is sooner. If an *untimely* petition for rehearing is filed, the 30-day period to petition for judicial review commences the date the Commission serves its original decision.¹ The Public Service Commission of Wisconsin must be named as respondent in the petition for judicial review.

If this decision is an order denying rehearing, a person aggrieved who wishes to appeal must seek judicial review rather than rehearing. A second petition for rehearing is not permitted.

Revised: March 27, 2013

¹ See *Currier v. Wisconsin Dep't of Revenue*, 2006 WI App 12, 288 Wis. 2d 693, 709 N.W.2d 520.